

OA 91 Criminal Complaint

## United States District Court

NORTHERN

DISTRICT OF

CALIFORNIA

UNITED STATES OF AMERICA  
V.MATTHEW BRADLEY MORRISON  
115 Coral Street,  
Santa Cruz, CA 95060-2104

CRIMINAL COMPLAINT

SEALED BY ORDER  
OF THE COURT

Case Number:

07-70653

Filed

OCT 31 2007

RICHARD W. WIER  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE

(Name and Address of Defendant)

I, the undersigned complainant being duly sworn state that the following is true and correct to the best of my knowledge and belief. On or about 10/2/07 through 10/29/07 in Santa Cruz County, in the NORTHERN District of CALIFORNIA defendant(s) did,

(Track Statutory Language of Offense)

knowingly distribute, and attempt to receive certain matter, to wit, visual images, which had been mailed and transported in interstate and foreign commerce by any means, including by computer, and the producing of which visual images (1) involved the use of one or more minors engaging in sexually explicit conduct, and (2) were of such conduct,

in violation of Title 18 United States Code, Section(s) 2252(a)(2) and (b)(1)

I further state that I am a(n) Special Agent, U.S. Postal Inspection Service and that this complaint is based on the following facts:

Official Title

See attached affidavit of Special Agent Jude Densley, USPIS

PENALTIES: not less than 5 nor more than 20 years prison (or, with qualifying prior, not less than 15 years and up to 40 years prison); \$250,000 fine; up to lifetime term of supervised release; \$100 special assessment fee

PROCESS: Request issuance of no-bail warrant

Continued on the attached sheet and made a part hereof:

☒ Yes ☐ NoApproved  
As ToForm: David R. Callaway  
AUSA

Jude Densley  
JUDE DENSLEY, Special Agent, USPIS  
Name/Signature of Complainant

Sworn to before me and subscribed in my presence,

Date

10/31/07

at

SAN JOSE, CALIFORNIA

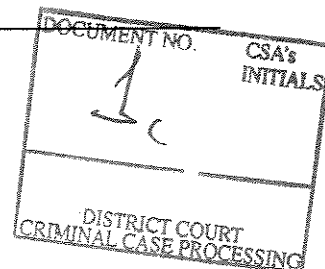
City and State

RICHARD SEEBORG

U.S. Magistrate Judge

Name &amp; Title of Judicial Officer

Signature of Judicial Officer



## **AFFIDAVIT**

I, Jude Densley, being duly sworn, depose and state:

### **I. INTRODUCTION AND AGENT BACKGROUND**

1. I am a U.S. Postal Inspector with the United States Postal Inspection Service and have been so employed since July 2004. I am currently assigned to the San Francisco Division. Among other things, I am assigned to investigate the transportation of child pornography via the U.S. Mail and other materials declared obscene, and the use of the mail to further schemes to sexually exploit minors. Prior to becoming a postal inspector, I was an investigator for the State of Utah for eight years and was assigned to investigate securities fraud and other related crimes. I was also employed as a crime scene technician for West Jordan Police Department for over two years.
2. The conclusions set forth in the affidavit are based upon the facts related in this affidavit, which I learned from my personal investigation or from other investigators in this case. Also, the statements and conclusions in this affidavit are based on my training and experience and on information relayed to me by other federal, state and local law enforcement officers. Since this affidavit is being submitted for the limited purpose of securing an arrest warrant and establishing probable cause to believe that Matthew Bradley Morrison committed certain criminal acts, I have set forth only the facts that I believe are necessary to establish probable cause to believe that Matthew Bradley Morrison distributed and attempted to receive visual depictions of minors engaged in sexually explicit conduct in violation of Sections 2252(a)(2), and (b)(1) of Title 18 of the United States Code.

### **II. STATUTES AND DEFINITIONS**

3. Sections 2252(a)(2) and (b)(1) of Title 18 of the United States Code make it a federal crime for any person to knowingly receive, or distribute, or attempts, or conspires to receive or distribute, any visual depiction of a minor engaged in sexually explicit conduct that has been mailed, shipped or transported in interstate or foreign commerce, or which contains materials which have been mailed or so shipped or transported.

4. The term "minor" is defined in Section 2256(1) of Title 18 of the United States Code as any person under the age of eighteen years.

5. The term "visual depiction" is defined in Section 2256(8) to include "undeveloped film and videotape, and data stored on computer disk or by electronic means which is capable of conversion into a visual image."

6. The term "sexually explicit conduct" is defined in Section 2256(2) as "actual or simulated (A) sexual intercourse, including genital-genital, oral-genital, anal-genital, or oral-anal, whether between persons of the same or opposite sex; (B) bestiality; (C) masturbation; (D) sadistic or masochistic abuse; or (E) lascivious exhibition of the genitals or pubic area of any person."

### **III. THE INVESTIGATION**

7. In or about September of 2007, I was conducting an undercover internet operation focusing on individuals trafficking in child pornography on the Internet and through the U.S. Mail. As part of the operation, I created an undercover profile on a social networking site purporting to be an open-minded mother of two daughters who was looking to meet other like-minded individuals. In response, on September 7, 2007, I received an email from someone who later identified himself as Matt Morrison. Morrison inquired about the age of my children. I replied that my girls were 7 and 12 years old. On September 10, 2007, Morrison sent an email asking, "can i get any pixs of u hot girls" and stated, "i'll love to meet ur to girls." When I asked Morrison what kind of pictures he wanted, he replied, "any that r up there skirts with and with out pantys and sume ful nude by mostly up there skirts with and with out pantys on." On September 12, 2007, I gave Morrison my undercover email address so we could communicate directly. On September 20, 2007, Morrison sent me an email that stated, "hi i trade ur email but it did not work ok so heres mine [matt24morrison@yahoo.com](mailto:matt24morrison@yahoo.com)."

8. From September 27, 2007 through the present, Morrison and I continued to correspond via email. On September 28, 2007, Morrison again asked for pictures of my daughters. On September 28, 2007, in response to an email asking him again what kind of pictures he wanted, Morrison replied, "ok i love to get sume that r up there skirts with and with out pantys on and sume shots of there chest with there t shurts on that is easy to look at there chest kind of t shurts

ok.” I told Morrison I didn’t have any pictures like that but that I could take some if he wanted. Morrison stated, “i’ll love that and whut kind to u have now.” I advised Morrison I only had “normal ones.” Morrison then stated, “i’ll love to get sune of them and sume of the ones i asked 4 if that’s ok.” I asked Morrison if he had any “cool pics or vids to trade.” On October 1, 2007, Morrison stated, “yes i do but just pix i have teen preteens and young girls.” Also on October 1, 2007, I asked Morrison how many pictures he wanted me to take and if he wanted to trade. On the same day, Morrison replied, “40 ok.” When I asked Morrison what kind of pictures he had, Morrison replied, “i have as young as 1-17 sume r fuck and sucking and the reast is nude whut age u like.” On October 2, 2007, I told Morrison I preferred young action pictures because they were rare and asked him what he liked.

9. On October 2, 2007, Morrison forwarded me an email which appeared he had originally received on September 5, 2007 from an individual with the email address [hardguyhardguy@hotmail.com](mailto:hardguyhardguy@hotmail.com). The email contained six photo attachments. The first photo entitled KX09\_16R.jpg depicted a clothed female, who appeared to be approximately 4 to 6 years old. An adult penis was next to the girl’s face and the girl had what appeared to be semen dripping from her mouth and chin. The second photo entitled mafiaSex.Ru\_Children\_Kids\_Hard\_000282\_Copy\_01\_Pthc\_Ultra\_Pedo\_Child\_Porn\_Pedofila.jpg depicted a nude female, who appeared to be approximately 7 to 9 years old, with an erect adult penis pressed against the girl’s vagina. The third photo entitled Pedo\_Baby\_03\_\_2yo\_Photos\_15.jpg depicted a nude infant or toddler with what appeared to be semen on her labia. The fourth photo entitled Pedo\_Baby\_03\_\_2yo\_Photos\_21.jpg depicted a nude female who appeared to be approximately 3 to 4 years old. An adult hand was visible in the picture spreading the labia, exposing the girl’s vagina. The fifth photo entitled Pedo\_Baby\_03\_\_2yo\_Photos\_36.jpg depicted an adult’s finger partially inserted between the girl’s labia. The sixth photo entitled Pedo\_Baby\_03\_\_2yo\_Photos\_56.jpg depicted a partially nude female, who appeared to be approximately 4 to 6 years old, with an adult erect penis partially inserted in her vagina.

10. Also on October 2, 2007, Morrison forwarded another email to me which appeared he had originally received on September 5, 2007 from [hardguyhardguy@hotmail.com](mailto:hardguyhardguy@hotmail.com). The email contained nine photo attachments. The first photo entitled 0004\_3yo\_Inna\_Private.jpg depicted

a girl, who appeared to be approximately 4 to 6 years old, lifting up her dress and exposing her nude buttocks. The second photo entitled 006\_3yo\_Inna\_Private.partial.jpg depicted a partially nude female, who appeared to be approximately 4 to 6 years old, touching her vaginal area. The third photo entitled 0022\_3yo\_Inna\_Private\_lsv\_lsw.jpg depicted a partially nude female, who appeared to be approximately 4 to 6 years old, with her leg bent, exposing her vaginal area. The fourth photo entitled 0034\_3yo\_Inna\_Private.jpg depicted a partially nude female, who appeared to be approximately 4 to 6 years old, bent over exposing her vaginal area and buttocks. The fifth photo entitled 01\_Year\_Old\_Girl\_About\_to\_be\_Fucked\_03.jpg depicted a partially nude female, who appeared to be approximately 1 to 3 years old, with her legs spread and her buttocks touching a partially erect adult penis. The sixth photo entitled 01\_Year\_Old\_Girl\_About\_to\_be\_Fucked\_05.jpg depicted a partially nude female, who appeared to be approximately 1 to 3 years old, with an erect adult penis against the girl's buttocks. The seventh photo entitled 04\_Year\_Old\_Fucked.jpg depicted a female, who appeared to be approximately 3 to 6 years old, with an erect adult penis next to the girl's vagina. The eighth photo entitled 04\_Year\_Old\_Girl\_Shows\_All\_01.jpg depicted a female, who appeared to be approximately 4 to 6 years old, holding her knees to her chest exposing her anal and vaginal region. The ninth photo entitled 2yo\_dick\_suck.jpg depicted a female, who appeared to be approximately 2 to 3 years old, holding a penis and also has the penis in her mouth.

11. On October 2, 2007, I sent an email to Morrison thanking him for the pictures. I also stated, "I have some movies on DVD that are like the pix you sent me that you might like. I usually sell the movies but would trade with you." Also on October 2, 2007, Morrison responded stating, "can u mail them to me." I replied telling Morrison I could mail them and asked for an address where he wanted me to send them. On October 2, 2007, Morrison sent me an email stating, "matt morrison, 115 coral st ca, 95060." I asked what ages Morrison wanted and what he wanted to see in the movies. On October 3, 2007, Morrison responded via email stating, "ages 5-12 being fucked."

12. On October 8, 2007, Morrison asked me when I would send him the dvd and pictures. On October 12, 2007, I provided a graphic detailed description of the movies I had that depicted 5 to 13 year old children engaged in sexual conduct. However, Morrison claimed he didn't receive this email.



13. On October 22, 2007, I created a letter addressed to Matt Morrison, 115 Coral St, Santa Cruz, CA, 95060 with a return address of Candi, P.O. Box 1401, Vallejo, CA, 94590. The letter stated:

Matt, Hi! It's Candi from Hi5. Since my email didn't go through I thought I'd write you. You said you wanted 5-12 yr old girls being fucked. I have an incest movie that has a girl about 5 to 7 years old and a teen sucking & fucking eachother & dad. Another with a mom and her daughter who is about 10-12 yrs old where they lick eachothers pussys & mom fingerfucks the girls pussy til its nice & wet with tons of oral action. Ive got one that has 3 girls all from about 7-12 yrs old. They get naked and play with eachothers tiny tits & bald pussys. I've got another that has two girls, one about 7 yrs old & the other about 12 yrs old go in for their first gyno exam. The doctor does an exam and fingerfucks their little cunts while he jacks off. The dr ends up stuffing his giant cock up one of the girls pussys. He tries with the other but she is so tight he ends up fucking her pretty good with his finger and puts his dick in her mouth instead. I have a couple of rape videos of a 13 yr old girl if your into that. One she gets gangbanged by 2 guys. Another he roughs her up a bit sucks on her tits and fignerfucks her pussy. When he fucks her you can actually see her cherry being popped. Has good closeups and oral action of her going down on him after he fucks her. Send me an email and tell me which movie you want and I'll send it. When you get the dvd you can see its good quality and stuff you can't get on the internet. Then you can send me more pics in return or something of equal value- whatever is fair. Then you can buy more movies, trade or refer people for discounts. Sound cool? Send me an email with which one you want with the passworde code: "California Girls" that way I know you got this letter and its ok to send the dvd. Candi.

14. On October 23, 2007, I gave the letter to a confidential source at the homeless shelter located at 115 Coral Street in Santa Cruz, CA. Later on October 23, 2007, I received a telephone message from the confidential source that Morrison had picked up the letter from the shelter that I had provided.

15. On October 25, 2007, I received an email from Morrison that stated, "i'll love to get them all if thats ok and ill send u pix when i get them ok." Below the email were the words "california girls" in quotations. On October 28, 2007, I received an email from Morrison asking if I had sent the dvds.

16. On October 29, 2007, I sent Morrison an email that stated, "I'll send you all 6 of the dvds but that's way too much for me to front you when you only sent me 15 pics. Plus I have to pay for postage. How many pics do you have now and what are they of? It has to be a fair trade- pics for the movies." Also on October 29, 2007, Morrison sent an email in response stating, "i have girls that r 3-18 nude and sune fuck pixs hove about 100 pix." I then sent Morrison an

email agreeing to accept all of the pictures he had in trade for the dvds. The next email I received from Morrison was an email he had forwarded to me. It appeared that he had originally received the email on August 31, 2007 from an individual with an email address of mikehrny@yahoo.com. The email contained five photo attachments of child pornography. The first photo entitled \_\_\_Ohdaddy.jpeg depicted a female, who appeared to be approximately 12 to 14 years old, holding an adult erect penis in her hand. The second photo entitled \_\_\_Daughter\_Horney\_Amy\_preteen\_panties\_3.jpg depicted a female, who appeared to be approximately 7 to 10 years old, lying down with a portion of her clothing pushed to the side exposing part of her vaginal region. The third photo entitled \_06CUMM1.jpeg depicted a nude female, who appeared to be approximately 4 to 6 years old, with an adult penis in her mouth. The fourth photo entitled \_\_08\_.jpg depicted a partially nude female, who appeared to be approximately 5 to 7 years old, with her legs spread apart, exposing her vaginal area. The fifth photo entitled \_0\_27.jpg depicted a nude female, who appeared to be approximately 8 to 10 years old, with her legs spread apart, lying down.

17. Also on October 29, 2007, Morrison sent me an email agreeing to trade the photographs he has for the dvds he wanted. Also on October 29, 2007, I received a forwarded email from Morrison that appeared to be an email he had originally received on August 27, 2007 from mikehrny@yahoo.com. The email contained eight photo attachments. The photos contained images of females who appeared to be from approximately 8 years old to adult. Of the photos that appeared to contain minors, two of them depicted the female licking an adult penis or the female had an adult penis in her mouth, and three of them contained partially nude or nude females who were spreading their legs, exposing their vaginal area.

18. Also on October 29, 2007, I received an email from Morrison that appeared to be an email he had originally received on August 27, 2007 from an individual with the email address of mikehrny@yahoo.com. The email contained 10 photo attachments. The photos depicted females who appeared to be from approximately 6 years to 16 years of age nude or wearing underwear. One photo entitled \_\_01.\_alida.jpg depicted a nude female, who appeared to be approximately 10 to 12 years old, with her legs spread apart, exposing her vaginal area.

19. Also on October 29, 2007, I received an email from Morrison that appeared to be an email he had originally received on August 22, 2007 from an individual with the email address

zack1234\_92@hotmail.com. The email contained three photo attachments. One of the photographs depicted a nude male and female, who appeared to be approximately 8 to 11 years old, with the female pulling on the male's penis. Another photo depicted a nude male and female who appeared to be approximately 10 to 13 years old engaged in sexual intercourse.

20. Also on October 29, 2007, I received an email from Morrison that appeared to be an email he had originally received on August 22, 2007 from an individual with the email address of zack1234\_92@hotmail.com. The email contained one video clip and ten photo attachments. The 25 second video clip entitled PORNO\_1.mpg depicted a nude female, who appeared to be approximately 13 to 15 years old, orally copulating a penis. The photos depicted a nude female, who appeared to be approximately 11 to 13 years old, in various poses exposing her anus and vaginal area.

21. Also on October 29, 2007, I received an email from Morrison that appeared to be an email he had originally received on August 22, 2007 from an individual with the email address of zack1234\_92@hotmail.com. The email contained one photo attachment depicting a nude female, who appeared to be approximately 10 to 11 years old, sitting in a chair with her legs apart.

#### **IV. ADDITIONAL INVESTIGATION AND BACKGROUND OF MATTHEW BRADLEY MORRISON**

22. A search was conducted through Accurant, a commercial contract information database provided to law enforcement for Matt Morrison. The search identified the address of 115 Coral St, Santa Cruz, CA 95060-2104 as the most current address for Matthew B. Morrison. In addition, records from the California Department of Motor Vehicles listed the address of 115D Coral St, Santa Cruz, CA 95060 for Matthew Bradley Morrison, which had been recorded on September 25, 2007.

23. On or about October 12, 2007, I drove to 115 Coral Street, in Santa Cruz and confirmed the address was a center for the homeless. With the assistance of Officer Seiley of the Santa Cruz Police Department, I was able to confirm that Matt Morrison was currently receiving mail at the shelter.

24. On September 29, 2007, Detective Ian Patrick made contact with the confidential source



(CS) at the shelter located at 115 Coral Street in Santa Cruz, CA. Det. Patrick read the following admonition to the CS:

In a moment, I am going to show you a group of photographs. This group of photographs may or may not contain a picture of the person now being investigated. Keep in mind that hair styles, beards, and mustaches may be easily changed. Also, photographs may not always depict the true complexion of a person, it may be lighter or darker than shown in the photo. Pay no attention to any markings or numbers that may appear on the photos or any other differences in the type or style of photographs. When you have looked at all the photos, tell me whether or not you see the person who you gave the letter to on October 23, 2007. Do not tell other witnesses that you have or have not identified anyone.

25. Det. Patrick showed a copy of the envelope addressed to Morrison that I had provided to him/her and the CS stated he/she recalled delivering the letter. Det. Patrick showed the CS a photo line-up that included a picture of Morrison in the number 3 position. Det. Patrick advised that the CS viewed the lineup for several seconds and initially said he/she could not identify anyone in the lineup. The CS circled the unknown area of the lineup form. The CS then spontaneously asked if he/she could look at the lineup a second time. Det. Patrick provided the CS the lineup, and he/she immediately pointed to the photograph of Morrison as the individual to whom she delivered the letter. The CS commented that Morrison looked older in the photo than he does in real life. The CS said Morrison is currently clean shaven except for a small bit of hair on his chin. The CS said he/she was certain the person pictured in position number 3 was the person to whom he/she had provided the letter.

26. The Internet Protocol (IP) address of 63.193.16.22 was captured in the emails I received from Morrison on October 29, 2007 containing child pornography. Based on a test email I had previously sent to myself from the Main Santa Cruz library, I was aware the IP address of 63.192.16.22 corresponded with a public computer at the Santa Cruz Library. I contacted Detective Ian Patrick of the Santa Cruz County Sheriff's Office and relayed this information. Detective Joe Ramsey of the Santa Cruz County Sheriff's Office went to the Santa Cruz Library and called me over the telephone. I advised Det. Ramsey that I was currently receiving emails from Morrison and that one of Morrison's internet profiles showed he was currently logged in and was online. Det. Ramsey told me he saw Morrison using one of the computers at the Santa Cruz library. Det. Ramsey advised he saw Morrison toggling back and forth between screens, including an email screen.

27. On October 11, 2007, I spoke with Morrison's probation officer, Linda Perez who confirmed that Morrison is a registered sex offender who is transient and camps in the Santa Cruz area. Morrison reported to Ms. Perez that he had been using the email address of matt22morrison@hotmail.com. According to Ms. Perez, Morrison has been known to frequent internet cafés and other areas with internet access. Ms. Perez stated that Morrison had told her he had found a DVD player in the trash. Morrison said he was able to watch DVDs on the player by a bookstore that had an outdoor power outlet in Santa Cruz. The investigation discovered Morrison has had a criminal history dating back to 1999 to include burglary, grand theft, petty theft, theft, and lewd or lascivious acts with a child under 14. According to Ms. Perez, Morrison is currently on probation for his conviction of an incident that occurred on June 12, 2003 at the Aptos Library. According to the police report, Morrison squeezed the buttocks of a 9-year-old girl, and inserted his hand in between her legs so that some of his fingers were touching her upper thigh while his index finger was rubbing her vagina. Ms. Perez further advised that a probation violation hearing is scheduled for Morrison on November 2, 2007 since Morrison claims he does not have a problem and refuses to attend counseling.

#### **V. INTERSTATE NEXUS**

28. I identified one of the photographs that Morrison emailed to me on October 29, 2007, further described in paragraph 17, above, as pertaining to the so-called "Cindy" series of photographs. This is a series of photographs with an identified victim. Based on information provided by the National Center for Missing and Exploited Children (NCMEC), I am able to state that the "Cindy" series of photographs was produced outside of California and therefore traveled in interstate commerce before arriving in California.

#### **VI. STATEMENT OF PROBABLE CAUSE**

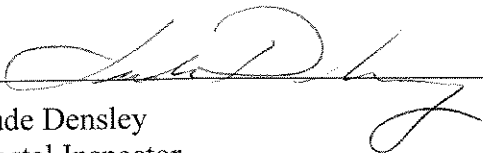
29. Based upon the information above, I respectfully submit that there exists probable cause to believe that Matthew Bradley Morrison has violated Sections 2252(a)(2), and (b)(1) of Title 18 of the United States Code insomuch as he has knowingly distributed and attempted to receive a visual depiction that has been mailed, or has been shipped or transported in interstate or foreign commerce, which involved the use of a minor engaged in sexually explicit conduct, and the

depiction was of such conduct.

# **VII. SEALING REQUEST**

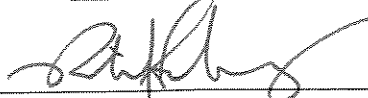
30. The criminal investigation of Matthew Bradley Morrison is on-going. Postal inspectors plan to continue online communication with Morrison up to the moment the arrest warrant is executed. Disclosure of the contents of this affidavit (or the existence of an arrest warrant) would seriously impede the continuing investigation by disclosing the nature and sources of information gathered by the government, and the details of the government's investigation. In addition, since Morrison is a transient, I believe that such disclosure would seriously impede this investigation and apprehension of Morrison. Accordingly, I request that this Court issue an order sealing this affidavit, the criminal complaint, and the arrest warrant itself, until the execution of the warrant.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

  
 Jude Densley  
 Postal Inspector

Sworn to and subscribed before me

on this 31<sup>st</sup> day of October, 2007

  
 RICHARD SEEBORG  
 United States Magistrate Judge